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April 15, 2025

VIA ECF

Hon. James R. Cho, U.S.M.J.
United States District Court Eastern District of New York
225 Cadman Plaza East, Courtroom 11D South
Brooklyn, NY 11201-1804

Re: IME WatchDog, Inc. v. Gelardi, et al.
Case No.: 1:22-cv-1032 (PKC) (JRC)

Dear Judge Cho:

This office, along with Sage Legal LLC, represents the Plaintiff IME WatchDog, Inc. (“Plaintiff”), in the above-referenced case.

Plaintiff renews its March 14, 2025 request (ECF Dkt. Entry [446](#)), pursuant to 28 U.S.C. § 636(e), for this Court to certify to Judge Chen the facts surrounding the contempt by non-party observers, Christian Hogarth, Fari Gutierrez, Lizbeth Medina, Mark Purficati, and Sara Gonzalez (the “non-party observers”).

On January 17, 2025, this Court issued a text Order directing the non-party observers to appear in Court for a motion hearing on February 7, 2025 concerning their non-compliance with subpoenas that Plaintiff served on each of them in April and May, 2024. None of the non-party observers appeared at the February 7, 2025 hearing. At the hearing, the Court directed Plaintiff to re-serve the subpoenas on the non-party observers, which Plaintiff did on February 27, 2025. See ECF Dkt. Entry [444](#). None of the non-party observers complied with the subpoenas.

In a March 24, 2025 text Order, this Court extended the time for the non-party observers to respond to the subpoenas until April 14, 2025. Plaintiff served the March 24, 2025 text Order on the non-party observers on March 25, 2025. See ECF Dkt. Entry [447](#). None of the non-party observers have responded to the subpoenas served on each of them.

Despite numerous extensions of time to respond to subpoenas that were served on the non-party subpoenas close to one (1) year ago, the non-party observers, who, upon information and belief are still under the control of defendants and their alter egos, including Eugene Liddie, have failed to comply with the subpoenas and the Court orders directing them to appear in court and to respond to the subpoenas.

Accordingly, Plaintiff requests that this Court certify to Judge Chen the facts surrounding the contempt by the non-party observers, pursuant to 28 U.S.C. § 636(e).

Dated: Lake Success, New York
April 15, 2025

Respectfully submitted,

MILMAN LABUDA LAW GROUP PLLC

/s/ Jamie S. Felsen, Esq.

Dated: Jamaica, New York
April 15, 2025

SAGE LEGAL LLC

/s/ Emanuel Kataev, Esq.

cc: All Counsel of Record (via ECF)